

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TRUSTEES OF THE UNITED HERE NATIONAL
HEALTH FUND and TRUSTEES OF THE UNITED
HERE NATIONAL RETIREMENT FUND,

Plaintiff,

-v-

No. 07 CV-6770 (PAC)

MICHAEL STUART DESIGN, LTD.,

Defendant.
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Electronically Filed
Jury Trial Demanded

**DEFENDANTS' ANSWER
TO PLAINTIFF'S AMENDED COMPLAINT**

Defendant, by and through its attorney, Keith Le Pack, Esq., hereby answers the Amended
Complaint of Plaintiff as follows:

NATURE OF ACTION

1. On information and belief, Defendant admits the allegations of this paragraph "1."

JURISDICTION AND VENUE

2. On information and belief, Defendant admits the allegations of this paragraph "2."
3. On information and belief, Defendant admits the allegations of this paragraph "3."

THE PARTIES

4. The answering Defendant denies knowledge of sufficient information to form a belief as to the truth of each and every allegation contained in this paragraph "4."

5. The answering Defendant denies knowledge of sufficient information to form a belief as to the truth of each and every allegation contained in this paragraph "5."

6. On information and belief, Defendant admits the allegations of this paragraph "6."

7. The answering Defendant denies knowledge of sufficient information to form a belief as to the truth of each and every allegation contained in this paragraph "7."

**AS AND FOR AN ANSWER TO THE FIRST CLAIM FOR RELIEF BY PLAINTIFF
TRUSTEES OF THE HEALTH FUND AGAINST DEFENDANT**

8. The answering Defendant repeats, reiterate and realleges each and every answer to the allegations contained in paragraphs 1. through 7, inclusive, with the same force and effect as if same were set forth more fully at length herein.

9. The answering Defendant denies the allegations contained in this paragraph "9."

10. On information and belief, Defendant admits the allegations of this paragraph "10."

**AS AND FOR AN ANSWER TO THE SECOND CLAIM FOR RELIEF BY PLAINTIFF
TRUSTEES OF THE RETIREMENT FUND AGAINST DEFENDANT**

11. The answering Defendant repeats, reiterate and realleges each and every answer to the allegations contained in paragraphs 1. through 7, inclusive, with the same force and effect as if same were set forth more fully at length herein.

12. The answering Defendant denies the allegations contained in this paragraph. "12."

13. On information and belief, Defendant admits the allegations of this paragraph

"13."

**AS AND FOR AN ANSWER TO THE THIRD CLAIM FOR RELIEF BY PLAINTIFF
TRUSTEES OF THE HEALTH FUND AND PLAINTIFF TRUSTEES OF THE
RETIREMENT FUND AGAINST DEFENDANT**

14. The answering Defendant repeats, reiterate and realleges each and every answer to the allegations contained in paragraphs 1. through 13, inclusive, with the same force and effect as if same were set forth more fully at length herein.

15. The answering Defendant denies the allegations contained in this paragraph "15."

16. On information and belief, Defendant admits the allegations of this paragraph

"16."

WHEREFORE, the responding defendant respectfully demands an order and judgment as follows:

- a. Dismissing Plaintiff's complaint in its entirety;
- b. Such other and further relief as this Honorable Court deems just and proper.

Dated: New York, New York
January 24, 2008

Yours,

KEITH LePACK, ESQ.


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